

BEFORE THE DIRECTOR
DEPARTMENT OF CONSUMER AFFAIRS
CEMETERY AND FUNERAL BUREAU
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

AVALON C & S, INC. dba AVALON
PASADENA FUNERAL HOME &
CREMATION; NATALIA E.
SANTISTEBAN, PRESIDENT

Funeral Establishment License No. FD 1458

Respondent.

Case No. A1 2016 427

OAH No. 2018030351

DECISION

The attached Proposed Decision of the Administrative Law Judge is hereby accepted and adopted by the Director of Consumer Affairs as the Decision in the above-entitled matter.

This Decision shall become effective March 28, 2019.

DATED: February 26, 2019



RYAN MARCROFT
Deputy Director, Legal Affairs
Department of Consumer Affairs

BEFORE THE
DEPARTMENT OF CONSUMER AFFAIRS
FOR THE CEMETERY AND FUNERAL BUREAU
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

AVALON C & S, INC. dba AVALON
PASADENA FUNERAL HOME &
CREMATION; NATALIA E.
SANTISTEBAN, PRESIDENT,

Funeral Establishment License No. FD 1458

Respondent.

Case No. A1 2016 427

OAH No. 2018030351

PROPOSED DECISION

Irina Tentser, Administrative Law Judge, heard this matter on January 8, 2019, at the Office of Administrative Hearings in Los Angeles, California.

Lisa A. Miller, Deputy Attorney General, appeared and represented Lisa M. Moore (Complainant), Bureau Chief of the Cemetery and Funeral Bureau, Department of Consumer Affairs (Bureau).¹

Avalon C & S, Inc., doing business as (dba) Avalon Pasadena Funeral Home & Cremation (Respondent Avalon), was represented by its president, Natalia E. Santisteban (Santisteban), who was present throughout hearing.

Oral and documentary evidence was received. The record was closed and the matter was submitted for decision at the conclusion of the hearing.

///

¹ Effective January 1, 1996, the Department of Consumer affairs succeeded to, and was vested with, all the duties, powers, purpose, responsibilities and jurisdiction of the Cemetery Board and the Board of Funeral Directors and Embalmers, and consolidated the functions into the Cemetery and Funeral Programs. Effective January 1, 2001, the regulatory agency was designated as the Cemetery and Funeral Bureau.

FACTUAL FINDINGS

1. Complainant brought the Accusation in her official capacity. Respondent timely submitted a Notice of Defense, which contained a request for a hearing.
2. On March 30, 1989, the Bureau issued Funeral Establishment License number FD 1458 to Respondent Avalon. The license was in full force and effect at all relevant times. It is scheduled to expire on March 31, 2019.
3. Santisteban is the president of Respondent Avalon, which is owned by Avalon C & S, Inc., which is owned by Santisteban. Santisteban bought the funeral home with her former significant other and business partner, Fernando Centeno, in 2005.
4. Based on various difficulties in retaining a qualified and ethical funeral director, Respondent Avalon has had a high turn-over of funeral directors since 2007, when she and Centeno's romantic relationship ended and he left the business. Specifically, there have been a series of eight licensed managing funeral directors since Centeno's October 17, 2007 disassociation as the managing funeral director of Respondent Avalon. Santisteban has been forthcoming with the Bureau Field Representative, John R. Gettys (Representative Gettys), who regularly conducts field visits to her funeral home, whenever Respondent Avalon has operated without a funeral director while she conducted the hiring process for a new funeral director. Most of the time, the time period during which Respondent Avalon operated without a funeral director ranged between a few days to up to seven months.

Lack of Funeral Director and Santisteban Holding Herself Out as Respondent Avalon's Funeral Director

5. a. Gerardo O. Garcia was previously employed as Respondent Avalon's funeral director from approximately March 8, 2013 through August 9, 2016. On August 8, 2016, Garcia notified the Bureau that he had informed Santisteban on August 3, 2016 that he would no longer be the managing funeral director of Respondent Avalon. As a result, on October 11, 2016, the Bureau mailed Santisteban a standard letter stating that the Bureau was aware she no longer had a manager that that she was required to report the change to the Bureau within 10 days.

b. On October 19, 2016, Santisteban emailed the Bureau stating that she was not notified by Garcia that he was no longer the managing director, as Garcia had informed the Bureau. She informed the Bureau that she was in the process of finding a new funeral director. On November 23, 2016, the Bureau requested an update from Santisteban regarding her search for a managing director. As of December 19, 2016, no response was received from Santisteban by the Bureau to their inquiry.

c. As a result, on December 27, 2016, the Bureau initiated a complaint against Respondent Avalon and Santisteban, alleging that Santisteban, the owner and sole employee of Respondent Avalon, failed to employ the services of a licensed funeral director to oversee the operation of the funeral establishment. Around the same time, the Bureau was

investigating a consumer complaint against Respondent Avalon and Santisteban. In the complaint, the consumer alleged that the death certificate and disposition permit prepared by Santisteban for the consumer's deceased brother contained several significant errors requiring correction. The consumer's complaint was ultimately dismissed, but, in the course of the Bureau's investigation, it was noted that in one of the official documents entitled an "Affidavit to Amend a Record," Santisteban identified herself as "Funeral Director." (Ex. 8.)

d. On March 2, 2017, Representative Gettys conducted a face-to-face interview with Santisteban at Respondent Avalon's location regarding the issues of 1) failing to have a licensed funeral director as a funeral establishment manager, and 2) Santisteban using the title of funeral director while not having a funeral director license. During the interview, Santisteban informed Representative Gettys that she did not have the money to pay a licensed funeral director because of a lack of case work. She was emotional during their interview and expressed concern about losing her business and not being able to take care of her four children.

e. When Representative Gettys questioned Santisteban regarding her use of the title "funeral director" in association with her own name, Santisteban admitted that she used the title on the Affidavit. According to Santisteban, she used the funeral director title because she thought there were licensed funeral directors, funeral directors who had a license, and unlicensed funeral directors, funeral directors who did not have a license. Respondent Gettys asked Santisteban to provide him with a written and signed statement regarding both of the issues discussed during the interview.

f. On March 10, 2017, Santisteban emailed two separate declarations to Respondent Gettys's office, as requested. Both statements were signed by Santisteban declaring under the penalty of perjury that her words were true and correct. In the first of the two declarations regarding her failure to have a licensed funeral director, she wrote, "Due to personal difficulty I cannot afford to hire a funeral director at this time. I need 30 more units to obtain associate degree. I am attending PCC (Pasadena City College) to achieve this. A family member is studying and preparing to take the test." (Ex. 5.)

g. In the second of the two declarations regarding her usage of the title "funeral director" while not having a valid funeral director license, Santisteban wrote, "I was under the understanding that I was a funeral director because I own a funeral home. I make arrangements, I officiate and direct funerals. I was told there are licensed and unlicensed funeral directors. Also, when I am asked what I do for a living, I say I am a funeral director because I direct funerals. Now, after speaking with Mr. Gettys, I know what that terminology means now." (Ex. 9.)

h. On March 14, 2017, Representative Gettys conducted a funeral director license check and determined that the Bureau had never issued a funeral director to Santisteban. As of March 14, 2017, Santisteban had failed to respond to the Bureau's final request for information regarding, among other things, the status of Santisteban's search for a funeral director for Respondent Avalon. As a result of the Bureau's investigative findings

that Respondent Avalon and Santisteban failed to follow the Bureau's rules and regulations in operating her funeral home, the Accusation was filed in this matter.

6. Based on Factual Findings 1 through 3, and 5a, 5b, 5d, 5f, and 5h, Santisteban and Respondent Avalon failed to designate a licensed funeral director to manage Respondent Avalon, and failed to report the designation to the Bureau within 10 days of the effective date of the designation, in violation of California Code of Regulations, title 16 (Regulations), section 1204.

7. Based on Factual Findings 1 through 3, and 5c through 5h, Santisteban and Respondent Avalon violated Business and Professions Code,² sections 7615 and 7622.2, by Santisteban holding herself out as a funeral director when, in fact, the Bureau had not issued a funeral director license or any other license to her.

Hearing Testimony

8. At hearing, Representative Gettys testified in support of his investigative report, confirming the basis for the filing of the Accusation per the report. However, he corroborated Santisteban's testimony that she is committed to running her funeral home in a law-abiding manner and consistently solicits Representative Gettys's input and advice to ensure that Respondent Avalon functions within Bureau rules and regulations.

9. Similarly, he corroborated Santisteban's testimony that it is difficult in the funeral home industry to find and hire a funeral director who is not only licensed, but can function honorably and effectively. Further, Representative Gettys was sympathetic to Santisteban's struggles to operate Respondent Avalon while single-handedly raising four children without financial support.

10. During her testimony, Santisteban, while unconvincingly testifying that she signed the declarations in March 2016 rather than March 2017,³ was sincerely apologetic about the delay in hiring a funeral director. Santisteban testified that, in the past, she had difficulty retaining funeral directors because she terminated those funeral directors who were unethical. Santisteban was emphatic that her primary goal is to protect families and ensure that grieving families are treated with ethical sensitivity during the difficult process of burying a loved one.

11. Santisteban credibly testified she had mistakenly believed that she could hold herself out as a funeral director without being licensed. Despite her past errors, she provided genuine assurance that she would not make the same mistake in the future. Santisteban's

² All further section references are to the Business and Professions Code unless otherwise indicated.

³ Santisteban's uncorroborated testimony that she signed the March 2017 declarations in March 2016 is contradicted by the weight of the credible evidence to the contrary.

assurance that she is committed to operating Respondent Avalon in accordance with the Bureau's rules and regulations is corroborated by her actions. Since August 25, 2017, Bureau licensed funeral director Gerardo O. Garcia has been associated with Respondent Avalon and functioned as its funeral director. No complaints have been received by the Bureau regarding Respondent Avalon and Santisteban since approximately February 2017.

12. Santisteban testified that she intends to obtain her associate degree and become a licensed funeral director. She has made progress, testifying that she is 20 units from earning her degree.

Prior Citations

13. a. None of Respondent Avalon's prior citations, as described below, involved the same issues that were the subject of this matter.

b. On August 5, 2011, the Bureau issued Citation Number IC 2011 310 for violation of Regulations, section 1223, subsection (c)(b), failure to refrigerate human remains. No fine was assessed. The citation is now final and incorporated by reference as if fully set forth.

c. On February 23, 2016, the Bureau issued Citation Number IC 2015 268 for violation of section 7707, gross negligence/ incompetence or unprofessional conduct. A fine of \$250 was assessed with the citation and the fine has been paid in full. The citation is now final and is incorporated by reference as if fully set forth.

d. On September 21, 2016, the Bureau issued Citation Number IC 2016 135 for violation of section 7707, unprofessional conduct, and 7628 (changing the location of a funeral establishment without submitting an application to the Bureau). A fine of \$1,500 was assessed with the citation and the fine has been paid in full. The citation is now final and is incorporated by reference as if fully set forth.

Costs

14. The Bureau incurred reasonable investigative and enforcement costs in the total amount of \$7,438.12, in connection with this matter.

LEGAL CONCLUSIONS

1. Cause exists to revoke or suspend Respondent's Avalon's funeral establishment license pursuant to sections 7703 and 7686, for violating Regulations section 1204, subdivision (a), in that Respondent Avalon and Santisteban failed to designate a licensed funeral director to manage the establishment and report the designation to the Bureau, as set forth in Factual Findings 1 through 3, 5a, 5b, 5d, 5f, 5h, and 6.

2. Cause exists to revoke or suspend Respondent's funeral establishment license pursuant to sections 7686, 7615 and 7622.2, in that Santisteban made a misrepresentation by holding herself out as Respondent Avalon's funeral director when in fact the Bureau had not issued a funeral director license or any other license to her, as set forth in Factual Findings 1 through 3, 5c through 5h, and 7.

3. Cause exists to order Respondent Avalon and Santisteban to pay the costs claimed under section 125.3, as set forth in Factual Finding 14.

4. All evidence in mitigation, rehabilitation, and aggravation has been considered, as set forth in Factual Findings 4, and 8 through 13. The credible evidence established that Santisteban's search for a licensed funeral director was exceedingly lengthy both because it was difficult to find a qualified funeral director to fill the position and because she was experiencing financial difficulty in Respondent Avalon's operation. While the foregoing provides some mitigation to Santisteban's conduct, it does not excuse Santisteban's failure to inform the Bureau in a timely manner that Respondent Avalon was operating without a licensed funeral director. In addition, Santisteban's testimony that she mistakenly believed that she could hold herself out as a funeral director explains, but does not mitigate, her actions. The law is clear - - "ignorance of a law is no excuse for a violation thereof" in civil or penal law. (*People v. Snyder* (1982) 32 Cal.3d 590, 592-593; *Stark v. Superior Court* (2011) 52 Cal.4th 368, 396-397.) Notwithstanding the foregoing, Santisteban is sincerely and convincingly contrite for her and Respondent Avalon's past violations. Further, her stated intent to conform to the Bureau's rules and regulations when operating Respondent Avalon is corroborated by both Representative Gettys's testimony and Respondent's Avalon's track record for the past two years. Namely, Respondent Avalon has operated with a licensed funeral director since the incidents that led to this matter. In addition, while Respondent Avalon was issued three prior unrelated citations, the funeral home has operated without consumer complaints and citations since 2017. On the issue of Respondent Avalon's commitment to providing ethical and sensitive funeral services to the public, Santisteban's testimony is particularly compelling and moving. Santisteban is clearly dedicated and passionate about providing quality service to the families who use Respondent Avalon's funeral services. Ultimately, Santisteban is a small business owner whose conduct demonstrates that she is sometimes overextended between her responsibilities as a single mother to four children and her responsibilities as a business owner. While Santisteban has made past mistakes in her operation of Respondent Avalon, she is willing to learn from and correct her past errors. Based on the totality of the evidence, it would be unduly punitive to revoke Respondent Avalon's funeral establishment license. Generally, the task in disciplinary cases is preventative, protective and remedial, not punitive. (*In re Kelley* (1990) 52 Cal.3d 487.) A four-year period of probation will adequately protect the public in this instance.

///

Costs

5. In this case, Complainant has established cause to discipline Respondent Avalon's license based on the legal theories pled in the Accusation. Accordingly, Respondent Avalon is obligated to reimburse the Bureau's \$7,438.12 in costs.

ORDER

Funeral Establishment License Number FD 1458, issued to Respondent Avalon C & S, Inc. dba Avalon Pasadena Funeral Home & Cremation, Natalia E. Santisteban, President, is revoked. However, the revocation is stayed and the license is placed on probation for four years on the following terms and conditions.

Obey All Laws

Respondent Avalon shall comply with all conditions of probation and obey all federal, state, and local laws, and all rules and regulations governing the programs regulated by the Bureau.

Quarterly Reports

Respondent Avalon shall submit quarterly declarations under penalty of perjury, in a format designated by the Bureau, stating whether or not Respondent Avalon has been in compliance with all the conditions of probation. Respondent Avalon shall also submit such additional written reports and verifications of actions requested by the Bureau. Should the final probation report not be made as directed, the period of probation shall be extended until such time as the final report is made.

Interview with Bureau Representative

As necessary, Respondent Avalon shall appear in person for scheduled interviews with the Bureau Chief or other designated representative for the purpose of monitoring compliance with the terms of this decision.

Out-of-State Residence or Operation

Should Respondent Avalon leave California to operate outside this state, Respondent Avalon must notify the department in writing of the dates of departure and return. Reporting in person may be waived if Respondent Avalon moves out of state. However, Respondent Avalon shall continue compliance with other terms of probation to retain California licensure. Periods of residency, business operation, or employment outside California shall not reduce the probationary period.

Completion of Probation

Upon successful completion of probation, Respondent Avalon's license will be fully restored.

Violation of Probation

Should Respondent Avalon violate probation in any respect, the Chief of the Bureau, after giving respondent notice and an opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an Accusation or Petition to Revoke Probation is filed against Respondent Avalon during probation, the Bureau shall have continuing jurisdiction until the matter is final, and the probation shall be extended until the matter is final.

License Issued During Probation

Any license or registration issued to Respondent Avalon by the Bureau during the period of probation shall be issued as a probationary license or registration and is subject to all the terms and conditions set forth herein. Respondent Avalon must comply with terms and conditions herein and demonstrate no cause for disciplinary action or denial of an application.

Evidence of Knowledge

Respondent Avalon shall provide evidence satisfactory to the Bureau that the licensee and all employees are knowledgeable in the laws and regulations governing the funeral industry, if deemed necessary by the policy chief or Bureau Chief.

Cost Reimbursement

Respondent Avalon shall reimburse the Bureau \$7,438.12 for its reasonable costs incurred in this matter. Within 30 days after the effective date of this Order, Respondent Avalon either may pay this full sum to the Bureau or may enter into an agreement with the Bureau to pay the costs on a schedule acceptable to the Bureau. Respondent Avalon shall complete payment of all costs by the date of termination of probation, and probation shall not terminate for Funeral Establishment License Number FD 1458 until full payment has occurred. In addition, Funeral Establishment License Number FD 1458 will not be renewed

///

unless and until cost reimbursement is complete, or unless and until Respondent Avalon is in compliance with a payment plan approved by the Bureau.

DATED: January 29, 2019

DocuSigned by:

Irina Tentser

IRINA TENTSER

Administrative Law Judge

Office of Administrative Hearings

1 XAVIER BECERRA
Attorney General of California
2 LINDA L. SUN,
Supervising Deputy Attorney General
3 LISA A. MILLER
Deputy Attorney General
4 State Bar No. 281374
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2581
6 Facsimile: (213) 897-2804
E-mail: Lisa.Miller@doj.ca.gov
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **FOR THE CEMETERY AND FUNERAL BUREAU**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. A1 2016 427

13 **AVALON C & S, INC. dba AVALON**
14 **PASADENA FUNERAL HOME &**
15 **CREMATION; NATALIA E.**
16 **SANTISTEBAN, PRESIDENT;**
17 **595 E. Colorado Blvd., Ste. 307**
18 **Pasadena, CA 91101**

OAH Case No.

19 **A C C U S A T I O N**

20 **Funeral Establishment License No. FD 1458**

21 Respondent.

22 Complainant alleges:

23 **PARTIES**

24 1. Lisa M. Moore (Complainant) brings this Accusation solely in her official capacity as
25 the Bureau Chief of the Cemetery and Funeral Bureau, Department of Consumer Affairs.¹

26 2. On or about March 30, 1989, the Cemetery and Funeral Bureau (Bureau) issued
27 Funeral Establishment License Number FD 1458 to Avalon, C & S, Inc., dba Avalon Pasadena

28 ¹ Effective January 1, 1996, the Department of Consumer Affairs succeeded to, and was
vested with, all the duties, powers, purpose, responsibilities and jurisdiction of the Cemetery
Board and the Board of Funeral Directors and Embalmers, and consolidated the functions into the
Cemetery and Funeral Programs. Effective January 1, 2001, the regulatory agency is designated
as the Cemetery and Funeral Bureau.

1 Funeral Home & Cremation (Respondent Avalon); Natalia E. Santisteban, President; (Respondent
2 Santisteban). The Funeral Establishment License was in full force and effect at all times relevant
3 to the charges brought herein and will expire on March 31, 2018, unless renewed.

4 JURISDICTION

5 3. This Accusation is brought before the Director of the Department of Consumer
6 Affairs (Director) for the Cemetery and Funeral Bureau, under the authority of the following
7 laws. All section references are to the Business and Professions Code unless otherwise indicated.

8 4. Section 7686 of the Code states:

9 "The bureau may suspend or revoke licenses, after proper notice and hearing to the
10 licensee, if the licensee has been found guilty by the bureau of any of the acts or omissions
11 constituting grounds for disciplinary action. The proceedings under this article shall be conducted
12 in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the
13 bureau shall have all the powers granted therein."

14 5. Section 118, subdivision (b), of the Code provides that the expiration of a license
15 shall not deprive the Bureau of jurisdiction to proceed with a disciplinary action during the period
16 within which the license may be renewed, restored reissued or reinstated.

17 STATUTORY PROVISIONS

18 6. Section 7615 provides, "A funeral director is a person engaged in or conducting, or
19 holding himself or herself out as engaged in any of the following:

20 (a) Preparing for the transportation or burial or disposal, or directing and supervising
21 for transportation or burial or disposal of human remains.

22 (b) Maintaining an establishment for the preparation for the transportation or
23 disposition or for the care of human remains.

24 (c) Using, in connection with his or her name, the words "funeral director", or
25 "undertaker", or "mortician", or any other title employ that he or she is engaged as a funeral
26 director."

7. Section 7622.2 states, "A person shall not open or maintain a place or establishment at which to engage in or conduct, or hold himself, herself, or itself out as engaging in or conducting, the activities of a funeral director without a license."

8. Section 7703 of the Code states "Violation of any of the provisions of this chapter or of the rules and regulations adopted pursuant to this chapter constitute a ground for disciplinary action."

REGULATORY PROVISIONS

9. California Code of Regulations, title 16, section 1204, subdivision (a), states:

"Any person, association, partnership, corporation, or other organization licensed and conducting business as a funeral establishment shall designate a licensed funeral director to manage the establishment, and shall report the designation to the Bureau within ten (10) days of the effective date of the designation."

COST RECOVERY

10. Section 125.3 of the Code states, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FACTUAL SUMMARY

11. On or about December 27, 2016, the Bureau initiated a complaint against Respondent Avalon and its President, Respondent Santisteban, in which the Bureau alleged that Respondent Santisteban, the President and sole officer of Respondent Avalon, failed to employ the services of a licensed funeral director to oversee the operation of the funeral establishment.

12. On or about January 26, 2017, a Bureau Field Representative was investigating a separate consumer complaint and, in the course of the investigation, reviewed an Affidavit to Amend a Record for a decedent. The Field Representative observed that Respondent Santisteban had identified herself on the document, dated December 21, 2016, as a "Funeral Director."

13. On or about March 10, 2017, Respondent Santisteban submitted a signed declaration admitting that she had not hired a funeral director.

14. On or about March 10, 2017, Respondent Santisteban submitted a signed declaration admitting that she had held herself out as a funeral director.

15. On or about March 14, 2017, a Bureau Field Representative conducted a funeral director license check and determined that the Bureau had never issued a funeral director license to Respondent Santisteban, the President and sole officer of Respondent Avalon.

FIRST CAUSE FOR DISCIPLINE

(Failure to Ensure Compliance with Laws and Regulations)

16. Respondents have subjected their license to discipline under sections 7703 and 7686 of the Code, for violating California Code of Regulations, title 16, section 1204(a), in that Respondents Avalon and Santisteban failed to designate a licensed funeral director to manage the establishment and report the designation to the Bureau, as set forth more fully in paragraphs 11 through 15, above.

SECOND CAUSE FOR DISCIPLINE

(Misrepresentation)

17. Respondents have subjected their license to discipline under section 7686 of the Code, for violating sections 7615 and 7622.2 of the Code, in that Respondent Santisteban held herself out as a funeral director when in fact the Bureau had not issued a funeral director license or any other license to her. Respondent Santisteban held herself out as a funeral director when she submitted a document entitled "Affidavit to Amend a Record" in which she identified herself as a "Funeral Director", as set forth more fully in paragraphs 11 through 15, above.

DISCIPLINARY CONSIDERATIONS

18. To determine the degree of discipline, if any, to be imposed on Respondent, Complainant alleges that on or about August 5, 2011, in a prior action, the Cemetery and Funeral Bureau issued Citation No. IC 2011 310 for violation of California Code of Regulations, title 16, section 1223 (c)(b) – Failure to Refrigerate Human Remains. No fine was assessed. That Citation is now final and is incorporated by reference as if fully set forth.

19. On or about February 23, 2016, the Bureau issued Citation No. IC 2015 268 for violation of section 7707 (Gross negligence/incompetence or unprofessional conduct): A fine of

1 \$250 was assessed with the citation and the fine has been paid in full. That Citation is now final
2 and is incorporated by reference as if fully set forth.

3 20. On or about September 21, 2016, the Bureau issued Citation No. IC 2016 135 for
4 violation of sections 7707 (Unprofessional Conduct) and 7628 of the Code (Changing the location
5 of a funeral establishment without submitting an application to the Bureau). A fine of \$1,500 was
6 assessed with the citation and the fine has been paid in full. That Citation is now final and is
7 incorporated by reference as if fully set forth above.

8 **PRAYER**

9 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
10 and that following the hearing, the Director of Consumer Affairs issue a decision:

11 1. Revoking or suspending Funeral Establishment License Number FD 1458, issued to
12 Avalon Pasadena Funeral Home & Cremation; Natalia E. Santisteban, President;

13 2. Ordering Natalia E. Santisteban to pay the Cemetery and Funeral Bureau the
14 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
15 Professions Code section 125.3; and,

16 3. Taking such other and further action as deemed necessary and proper.
17
18
19

20 DATED: August 2, 2017

Lisa M. Moore

LISA M. MOORE
Bureau Chief
Cemetery and Funeral Bureau
Department of Consumer Affairs
State of California
Complainant

24
25 LA2017604777
52556872.docx
26
27
28